



12-10-04

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PTO/SB/21 (09-04)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/826,583
	Filing Date	April 6, 2001
	First Named Inventor	Unger, Marc
	Art Unit	3753
	Examiner Name	Chambers, A. Michael
Total Number of Pages in This Submission	Attorney Docket Number	20174C-003010US

ENCLOSURES (Check all that apply)			
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input checked="" type="checkbox"/> After Allowance Communication to Examiner	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): -Return Postcard -Copy of IDS, transmittal, and postcard submitted 12/14/2001 -Copies of nine (9) cited References from the 12/14/2001 IDS -Copy of IDS, transmittal, and postcard submitted 11/21/2001
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/>	
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Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Patrick M. Boucher		
Date	2004 December 7	Reg. No.	44,037

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TOWNSEND and TOWNSEND and CREW LLP

By: 
Nicole M. Wartell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Marc Unger et al.

Application No.: 09/826,583

Filed: April 6, 2001

For: MICROFABRICATED
ELASTOMERIC VALVE AND PUMP
SYSTEMS

Examiner: Chambers, A. Michael

Art Unit: 3753

COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication provides courtesy copies of the Information Disclosure Statement filed on December 14, 2001. It appears from the Image File Wrapper on the U.S.P.T.O. website and file history that this IDS was never considered by the Examiner. The copy of the IDS provided is identical to that submitted on December 14, 2001. A copy of a date-stamped postcard is also enclosed to show prior receipt of the IDS by the U.S. Patent Office on January 23, 2002. Applicants also enclose herewith

copies of the cited non-patent literature references identical to those cited in the December 14, 2001 IDS for the Examiner's convenience.

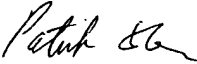
Applicants would also like to make the Examiner aware of the November 21, 2001 references that have not been made of record in this application. This communication provides courtesy copies of the Information Disclosure Statement filed on November 21, 2001. The copy of the IDS provided is identical to that submitted on November 21, 2001. A copy of a date-stamped postcard is also enclosed to show prior receipt of the IDS by the U.S. Patent Office on January 4, 2002. The references cited in this particular IDS were submitted to the U.S. Patent Office by hand on January 23, 2004.

Applicants request that cited references from the Information Disclosure Statements submitted on December 14, 2001 and the non-patent literature references submitted on November 21, 2001 be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicants request that Examiner Chambers consider these references and provide applicants a checked-off copy of the attached Information Disclosure Statements to show that these references have been considered pursuant to 37 CFR § 1.97.

If the Examiner has any questions regarding this submission, please call the undersigned at 303-571-4000.

Respectfully submitted,


Patrick M. Boucher
Reg. No. 44,037

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
PMB:nmb



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- 2) Form PTO/SB/08A/08B
- 3) Return Postcard

Applicant: Unger et al.

Application No.: 09/826,583

Filing Date: April 6, 2001

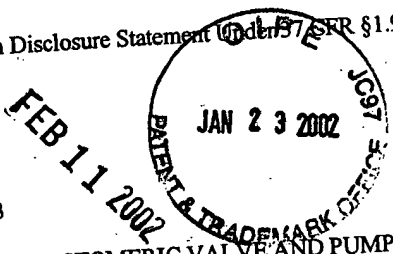
For: MICROFABRICATED ELASTOMERIC VALVE AND PUMP
SYSTEMS

Date Due:

Date of Mailing: 12/14/2001

Attorney: KJT sec. crf

Attorney Docket: 20174C-003010US



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Attorney Docket: 20174C-003010US

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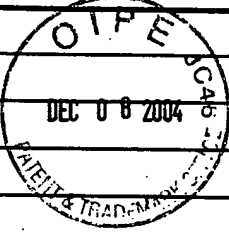
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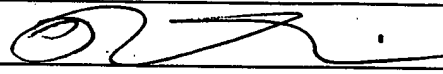
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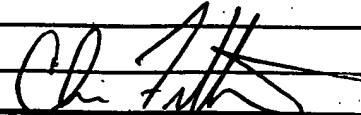
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/826,583	
	Filing Date	04/06/2001	
	First Named Inventor	Unger	
	Group Art Unit	1772	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission	1	Attorney Docket Number	2017C4-003010US



ENCLOSURES (check all that apply)		
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Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. Total number of pages <u>does not</u> include cited references.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm and Individual name	Townsend and Townsend and Crew LLP Kent J. Tobin Reg No. 39,496
Signature	
Date	December 14, 2001

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Typed or printed name	Chris Fitting		
Signature		Date	December 14, 2001

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PATENT
Attorney Docket No.: 20174C-003010US
Client Reference No.: CIT No.: P3492

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Marc Unger et al.

Application No.: 09/826,583

Filed: April 6, 2001

For: MICROFABRICATED
ELASTOMERIC VALVE AND PUMP
SYSTEMS

Examiner: Unassigned

Art Unit: 1772

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37 CFR
§1.97 and §1.98

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The references cited on attached form PTO/SB/08A/08B are being called to the attention of the Examiner. In accordance with CFR §1.98(d), copies of the references can be found in Application No. 09/724,784, filed November 28, 2000 (Attorney docket No. 20174C-003000US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Kent J. Tobin
Reg. No. 39,496

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 650-326-2422
KJT:crf

PA 3189999 v1

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PTO/SB/08A (08-00)

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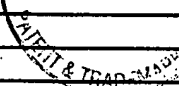
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Sheet 1 of 2

Complete If Known

Application Number 09/826,583
 Filing Date 04/06/01
 First Named Inventor Unger
 Group Art Unit 1772
 Examiner Name Unassigned
 Attorney Docket Number 20174C-003010US

DEC 8 2004



U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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FOREIGN PATENT DOCUMENTS

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Sheet 2 of 2

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Application Number	09/826,583
Filing Date	04/06/01
First Named Inventor	Unger
Group Art Unit	1772
Examiner Name	Unassigned
Attorney Docket Number	20174C-003010US

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	Ahn et al., "Fluid Micropumps Based on Rotary Magnetic Actuators," <u>Proceedings of 1995 IEEE Micro Electro Mechanical Systems Workshop (MEMS '95)</u> , held in Amsterdam, Netherlands on 1/29-2/2/95, pgs. 408-412 (1995).	
	2	Benard et al., "A Titanium-Nickel Shape-Memory Alloy Actuated Micropump," <u>Proceedings of Transducers '97</u> , 1997 International Conference on Solid-State Sensors and Actuators, held in Chicago, IL, 6/16-19/1997, 1:361-364 (1997).	
	3	Gerlach, T., "Pumping Gases by a Silicon Micro Pump with Dynamic Passive Valves," <u>Proceedings of Transducers '97</u> , 1997 International Conference on Solid-State Sensors and Actuators, held in Chicago, IL, 6/16-19/1997, 1:357-360 (1997).	
	4	Jerman, H., "Electrically-Activated, Normally-Closed Diaphragm Valves," <u>Proceedings of Transducers '91</u> , 1991 International Conference on Solid-State Sensors and Actuators, pages 1045-1048 (1991).	
	5	Olsson et al., "Simulation Studies of Diffuser and Nozzle Elements for Valve-less Micropumps," <u>Proceedings of Transducers '97</u> , 1997 International Conference on Solid-State Sensors and Actuators, held in Chicago, IL, 6/16-19/1997, 2:1039-1042 (1997).	
	6	Shoji et al., "Smallest Dead Volume Microvalves for Integrated Chemical Analyzing Systems," <u>Proceedings of Transducers '91</u> , 1991 International Conference on Solid-State Sensors and Actuators, pages 1052-1055 (1991).	
	7	Vieider et al., "A Pneumatically Actuated Micro Valve with a Silicone Rubber Membrane for Integration with Fluid-Handling Systems," <u>Proceedings of Transducers '95</u> , the 8th International Conference on Solid-State Sensors and Actuators and Eurosensors IX, held in Stockholm, Sweden on 6/25-29/95, 2:284-286 (1995).	
	8	Xia et al., "Micromolding in Capillaries: Applications in Material Science," <u>J. American Chemical Society</u> , 118:5722-5731 (1996).	
	9	Yang et al., "A MEMS Thermopneumatic silicone Membrane Valve," <u>Proceedings of the IEEE 10th Annual Workshop of Micro Electro Mechanical Systems Workshop (MEMS '97)</u> , held 1/26-30/97 in Nagoya, Japan, pages 114-118 (1997).	

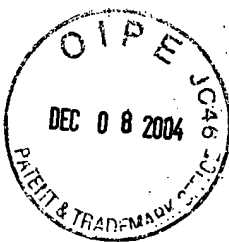
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Applicant: Unger et al.
Application No.: 09/826,583
Filing Date: April 6, 2001

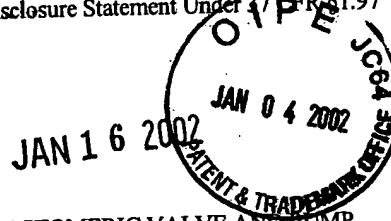
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Date Due:

Date of Mailing: 11/21/2001

Attorney: KJT sec. crf

Attorney Docket: 20174C-003010US



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Attorney Docket: 20174C-003010US

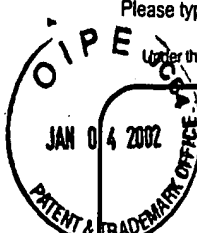
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	First Named Inventor	Unger	
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Total Number of Pages in This Submission	1	Attorney Docket Number	2017C4-003010US

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Firm and Individual name	Townsend and Townsend and Crew LLP Kent J. Tobin Reg No. 39,496
Signature	
Date	November 21, 2001

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Typed or printed name	Chris Fitting		
Signature		Date	November 21, 2001

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PATENT
Attorney Docket No.: 20174C-003010US
Client Reference No.: CIT No.: P3492

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Marc Unger et al.

Application No.: 09/826,583

Filed: April 6, 2001

For: MICROFABRICATED
ELASTOMERIC VALVE AND PUMP
SYSTEMS

Examiner: Unassigned

Art Unit: 1772

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§1.97 and §1.98

Assistant Commissioner for Patents
Washington, D.C. 20231

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Respectfully submitted,



Kent J. Tobin
Reg. No. 39,496

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 650-326-2422
KJT:crf

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	09/826,583
		Filing Date	04/06/01
		First Named Inventor	Unger
		Group Art Unit	1772
		Examiner Name	Unassigned
Sheet 1 of 2	Attorney Docket Number	20174C-003010US	

U.S. PATENT DOCUMENTS						
Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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FOREIGN PATENT DOCUMENTS								
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Sheet 2

of 2

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Application Number	09/826,583
Filing Date	04/06/01
First Named Inventor	Unger
Group Art Unit	1772
Examiner Name	Unassigned
Attorney Docket Number	20174C-003010US

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	Gass et al., "Integrated flow-regulated silicon micropump," <u>Sensors and Actuators A</u> , 43335-338 (1994).	
	2	Sohn et al., "Capacitance cytometry: Measuring biological cells one by one," <u>PNAS</u> , 97(20):10687-10690 (2000).	
	3	Zengerle et al., "A Micro Membrane Pump with Electrostatic Actuation," <u>1992 IEEE Conf. on Micro Electro Mechanical Systems</u> , held 2/4-7/92 in Travemunde Germany, pgs. 19-24.	
	4	Zengerle et al., "Performance Simulation of Microminiaturized Membrane Pumps," from 7th International Conference on Solid-State Sensors and Actuators held 6/7-10/93 in Yokohama Japan, pages 106-109.	

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